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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,045	02/06/2004	Issei Shinmura	1217-040224	4989
28289	7590	12/21/2006	EXAMINER	
THE WEBB LAW FIRM, P.C. 700 KOPPERS BUILDING 436 SEVENTH AVENUE PITTSBURGH, PA 15219			RODEE, CHRISTOPHER D	
		ART UNIT		PAPER NUMBER
		1756		
		MAIL DATE	DELIVERY MODE	
		12/21/2006	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	10/774,045	SHINMURA ET AL.	
	Examiner Christopher RoDee	Art Unit 1756	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. The amendment filed on 08 December 2006 under 37 CFR 1.312 has been considered, and has been:

- a) entered.
- b) entered as directed to matters of form not affecting the scope of the invention.
- c) disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) disapproved. See explanation below.
- e) entered in part. See explanation below.

Applicants propose to amend the specification to now specify the surface flux density of the magnetic poles as 0.15 T rather than as 1.5 T as originally filed. Applicants state that this corrects in an inadvertent conversion error during preparation of this US application. Applicants are reminded that the US application is considered to be complete and accurate as filed. The presence of a predecessor foreign application does not have bearing on the completeness or accuracy of the US application.

If an error is present in a US application applicants may correct it during pendency by amendment. However, any amendment must be review for new matter. An amendment to correct an obvious error does not constitute new matter where one skilled in the art would not only recognize the existence of the error in the specification, but also recognize the appropriate correction. In re Oda, 443 F.2d 1200, 170 USPQ 268 (CCPA 1971).

In the instant situation the error is not seen as obvious. Applicants have not explained why the value of 1.5 T "is not practical of the measurement of electrical resistance of carrier core material and coated carrier." Applicants state that the artisan would see the value as erroneous but have not explained why. Applicants have also not specified why the correction proposed would be recognized as proper.

The amendment is not entered because it introduces new matter into the specification.

MARK F. HUFF
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700

CHRISTOPHER RODEE
PRIMARY EXAMINER